

1 **KROGH & DECKER, LLP**
2 SHAWN M. KROGH (SBN 227116)
3 Shawnkrogh&kroghdecker.com
4 JASON G. ELDRED (SBN 327148)
5 jasoneldred@kroghdecker.com
555 Capitol Mall, Suite 700
Sacramento, California 95814
Telephone: 916-498-9000
Facsimile: 916-498-9005

6 Attorney for Defendant
INFINITE ENERGY HOME SERVICES, INC.

20 Pursuant to Federal Rules of Civil Procedure, Rule 16(b)(4), plaintiff Infinity Energy, Inc.
21 ("Plaintiff") and defendant Infinite Energy Home Services, Inc. ("Defendant") (collectively, the
22 "Parties") jointly request the court modify the pretrial scheduling order, issued on June 29, 2021.

23 The court has authority to modify the pretrial scheduling order for good cause. (FRCP
24 Rule 16(b)(4))

25 The Parties have engaged in good faith settlement discussions that have taken the
26 better part of several months. While no agreement has been reached as of yet, discussions took
27 longer than anticipated. In an effort to try to reach a resolution without incurring unnecessary

1 fees, the Parties did so at the expense of minimizing discovery. While the Parties are hopeful a
2 resolution can be reached, the Parties require additional time to complete discovery.

3 The Parties request the following modifications be made to the June 29, 2021 pretrial
4 scheduling order:

5 1. The Parties shall disclose expert reports in accordance with FRCP 26(a)(2) by no
6 later than March 3, 2022. With regard to expert testimony intended solely for rebuttal, those
7 experts shall be disclosed and reports produced in accordance with FRCP 26(a)(2) on or before
8 April 1, 2022.

9 2. All discovery, including depositions for preservation of testimony, shall be
10 conducted as to be completed by May 4, 2022.

11 3. All motions, except for motions for continuances, temporary restraining orders,
12 or other emergency orders, shall be filed on or before June 25, 2022.

13 4. The pretrial conference shall be held on August 15, 2022 at 1:30 p.m.

14 5. Trial shall commence on October 11, 2022 at 9:00 a.m.

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DATED: December 30, 2021

ELDUINDY, MEYER & KOEGEL, APC



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3 By: /s/ W. Patrick Cronican

4 DAVID L. PRICE
5 BENJAMIN D. KOEGEL
6 W. PATRICK CRONICAN
7 Attorneys for Plaintiff
8 INFINITY ENERGY, INC.

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DATED: December 30, 2021

KROGH & DECKER, LLP

10 By: /s/ Jason G. Eldred

11 SHAWN M. KROGH
12 JASON G. ELDRED
13 Attorneys for Defendant
14 INFINITE ENERGY HOME SERVICES, INC.



ORDER

1 Having found good cause exists pursuant to FRCP 16(b)(4), the court GRANTS the Parties'
2 motion to modify the June 29, 2021 pretrial scheduling order.

3 The June 29, 2021 pretrial scheduling order is modified as follows:

4 1. The Parties shall disclose expert reports in accordance with FRCP 26(a)(2) by no
5 later than March 3, 2022. With regard to expert testimony intended solely for rebuttal, those
6 experts shall be disclosed and reports produced in accordance with FRCP 26(a)(2) on or before
7 April 1, 2022.

8 2. All discovery, including depositions for preservation of testimony, shall be
9 conducted as to be completed by May 4, 2022.

10 3. All motions, except for motions for continuances, temporary restraining orders,
11 or other emergency orders, shall be filed on or before June 25, 2022.

12 4. The pretrial conference shall be held on August 15, 2022 at 1:30 p.m.

13 5. Trial shall commence on October 12, 2022 at 9:00 a.m.

15 IT IS ORDERED

16 Dated: January 4, 2022

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18 WILLIAM B. SHUBB
19 UNITED STATES DISTRICT JUDGE